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CENTRAL FAX CENTER****DEC 29 2003****OFFICIAL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Applicant: Choy

Serial No.: 09/614,369

Filed: July 12, 2000

For: **SYSTEM AND METHOD FOR ENSURING
REFERENTIAL INTEGRITY FOR
HETEROGENEOUSLY SCOPED REFERENCES IN
AN INFORMATION MANAGEMENT SYSTEM**

Art Unit: 2172

Examiner: Woo

AM9-99-0209

December 27, 2003
750 B STREET, Suite 3120
San Diego, CA 92101**RESPONSE TO OFFICE ACTION**Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

In response to the Office Action dated October 7, 2003, the following remarks are submitted.

To confirm recent conversations about this application between the undersigned and the Group Director, Ms. Focarino, and the Supervisory Primary Examiner, Ms. Vu, formerly in charge of this art unit, Ms. Focarino agreed that reopening prosecution twice in succession on new Section 103 grounds for rejection, both of which were different than the references used for the original final rejection, was "unusual"; Ms. Vu was apparently tasked with following up. She did so by agreeing that independent claims 5 and 11 appear to be patentable over the latest batch of references being applied, and asked that remarks about the patentability of Claim 1 formerly made informally now be made of record, and that she be kept in the loop on any subsequent action by the examiner. Accordingly, herewith the following.

In looking at the rejection of claim 1, it is unclear that the combination of Carhart with Isip would result in Claim 1, much less that the combination is suggested. As the examiner notes, Isip is directed to a

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software layer (the "Check utility") that ensures referential integrity of homogenous links in a RDBMS, but not heterogenous links as claimed. Carhart is used for searching heterogenous RDBMS, but Carhart has nothing to do with referential integrity - doesn't even mention it, or the word "constraint", or the phrase "heterogenous link". So, (1) combining Carhart with Isip would still result in Isip's homogenous link-only referential constraint checking, with the added utility of Carhart's search capability over several heterogenous RDBMS, but there wouldn't be any referential constraint checking for heterogenous links since neither reference has it; and (2) there appears to be no reason in Isip to use a search reference like Carhart, nor does there appear to be a reason in Carhart to incorporate it in a reference like Isip which evidently has little or nothing to do with searching over multiple RDBMS.

Thus, the problem with the proffered reason in the Office Action to combine the two references is laid bare. Specifically, the proffered reason to combine Carhart with Isip - to "provide referential integrity for heterogenous links, [since] in order to manage..heterogenous databases, database tables should be linked together...as if data came from a homogenous database" is (1) without the requisite prior art citation of support, and as importantly, (2) assumes that the combination of Carhart with Isip in fact would provide referential integrity for heterogenous links, when in fact as shown above *it would not*. A rejection based on a technical misunderstanding of the teachings of the references and moreover ungrounded from the legal requirements for properly making a *prima facie* case of obviousness cannot stand.

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Respectfully submitted,



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